

ORDINANCE NO. _____

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA BARBARA AMENDING CHAPTER 28.12 (ZONE MAP) OF TITLE 28 OF THE MUNICIPAL CODE PERTAINING TO THE REZONING OF PROPERTY IN THE EAST MESA NEIGHBORHOOD

THE COUNCIL OF THE CITY OF SANTA BARBARA DOES ORDAIN AS FOLLOWS:

SECTION 1. Sectional Zone Map SE03 of Chapter 28.12 (Zone Map) of the Santa Barbara Municipal Code is hereby amended by changing the zoning of the property located at 216 Meigs Road (APN 045-110-013) from PR/S-D-3 to E-3/S-D-3 as indicated in the attached Exhibit A.

SECTION 2. The City Council makes the following findings with respect to amending the City's Local Coastal Plan:

- A. The project is consistent with the policies of the California Coastal Act, as outlined in Exhibit B.
- B. The project is consistent with all applicable policies of the City's Local Coastal Plan, all applicable implementing guidelines, and all applicable provisions of the Code, as outlined in Exhibit C.

SECTION 3: The City Council makes the following findings with respect to the amendment of the zoning for property located at 216 Meigs Road from PR/S-D-3 to E-3/S-D-3:

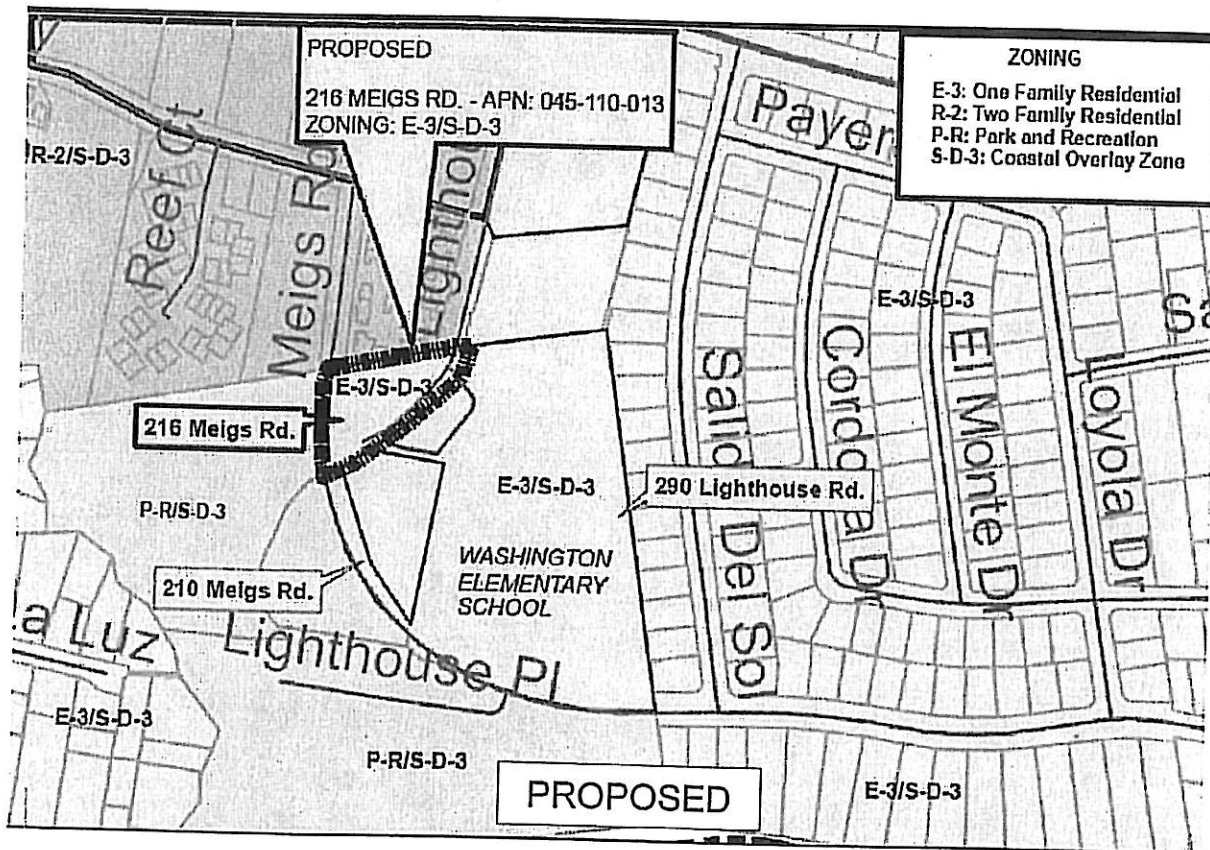
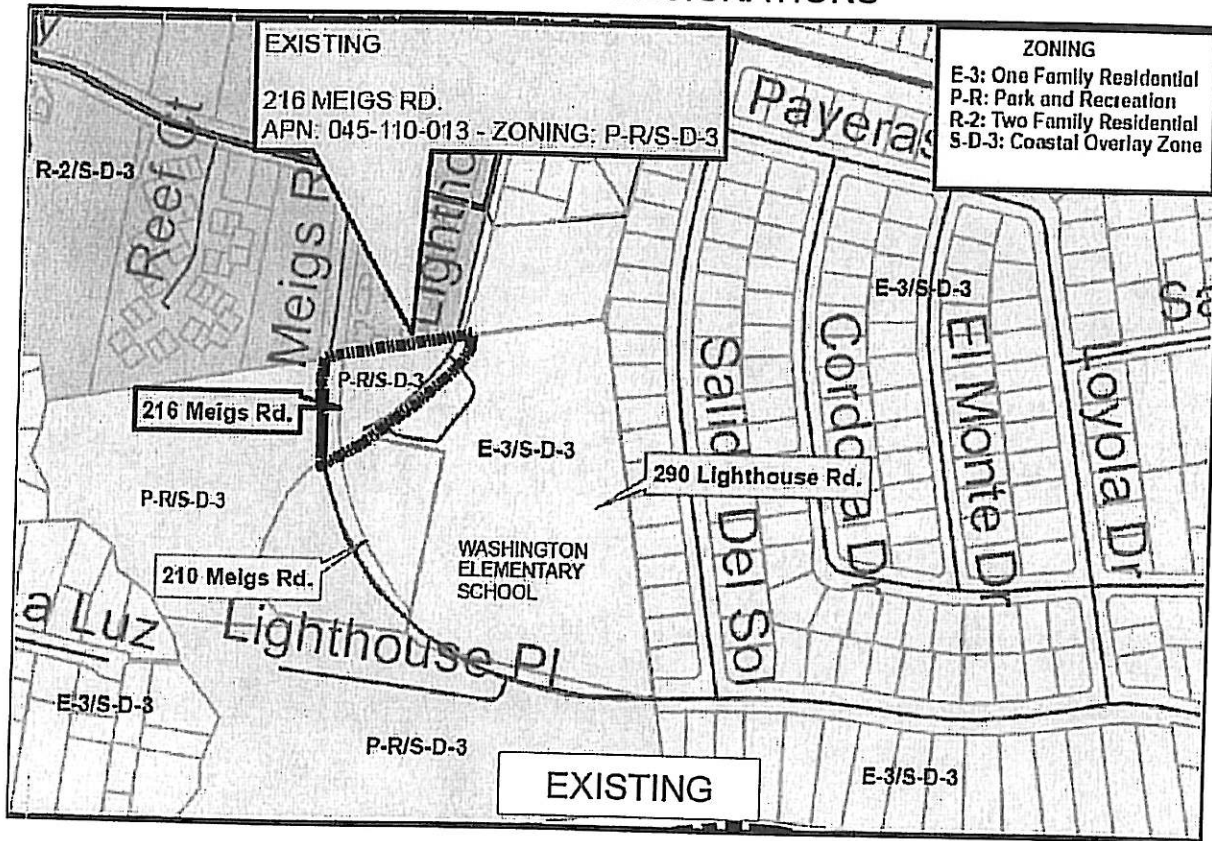
- A. This amendment complies with the City Charter and the City's policy of living within its resources in that it results in a project that does not have any significant environmental impacts, and all public services are available to serve the project.
- B. The E-3/S-D-3 zone is a residential zoning designation that would be consistent with the proposed General Plan and Local Coastal Plan designation of Residential, 5 units per acre, and the Local Coastal Plan text discussion of development in this area of the Mesa Neighborhood. Additionally, the E-3/S-D-3 zone is consistent with surrounding zoning designations and recognizes the fact that the parcel is in private ownership and both the City of Santa Barbara and the Santa Barbara School District have declined to purchase the subject property for either school or park purposes. Zoning the property for residential use allows for development of housing in an infill location close to services, recreation and transit opportunities. This designation is also consistent and compatible with adjacent and nearby development, land uses and zoning designations.

SECTION 4. This amendment shall become effective thirty days after certification by the California Coastal Commission.

- Exhibits:
- A. Zoning Map Designation
 - B. California Coastal Act Consistency Findings
 - C. Local Coastal Plan Consistency Findings

EXHIBIT A

ZONING MAP DESIGNATIONS



Coastal Act Chapter 3 Consistency Analysis

§30210 - §30214 (Public Access)

These policies are not applicable because the project is located on the northern side of the nearest public roadway to the shoreline, with no ability to provide public access to the shoreline. Additionally, the project does not impact visitor or recreational facilities.

§30220 - §30224 (Recreation)

The proposed zoning amendment would re-zone the property (216 Meigs Road) from PR/SD-3 (Park and Recreation/Coastal Overlay Zone) to E-3/S-D-3 (One Family Residential/Coastal Overlay Zone). This property was originally zoned for single-family residential development, but was re-zoned to PR in 1986 when the S-D-3 (Coastal Overlay Zone) was added. The parcel was re-zoned to PR/S-D-3 because the site was owned by the City and was originally part of La Mesa Park (located on the west side of Meigs Road). However, the site was declared excess land by the City in 1987, and was sold to the School District in 1991. The proposed zoning map amendment would allow for residential development on a property currently zoned for recreational use. The area proposed for a rezone is currently owned by the Santa Barbara School District, but following the land swap negotiated by the School District (current owners of 216 Meigs Road and 290 Lighthouse Road) and the owner of 210 Meigs Road, this property proposed for re-zone would be owned by a private entity. The proposed re-zone recognizes the fact that the property is in private ownership and that both the City of Santa Barbara and the Santa Barbara School District have declined to purchase the subject property for either school or park purposes. As such, recreational development is not an appropriate use for the site. Designation of the property as Residential - 5 units per acre, would allow for development of housing in an infill location close to services, recreation and transit opportunities. This designation would also be consistent and compatible with nearby development and land uses. The land swap was negotiated between the two property owners in response to an approved residential development project on 210 Meigs Road, which was negotiated in an effort to resolve concerns raised by the School relative to the residential development. The land swap results in moving the residential development farther from the school to minimize potential land use compatibility concerns.

The land use designation for the site is currently Major Public and Institutional, but is proposed to be designated as Residential – 5 units per acre. Again, the land use amendment recognizes the fact that the area in question is in private ownership and both the City of Santa Barbara and the School District have declined to purchase the privately held portion of the site for either school or park purposes. Therefore, a designation of major public and institutional is not appropriate. Designation of the area (Adjusted Parcel 1) as Residential - 5 units per acre will allow for development of housing in an infill location close to services, recreation and transit opportunities. This designation would also be consistent and compatible with nearby development and land uses.

The subject parcel does not have direct access to the sea and would not impact ocean-related recreation. Subject to certification of the proposed land use and zoning amendments, the area identified as Adjusted Parcel 1 would be subdivided for future development of five residential units. Residents of these five units have the potential to create a minimal increase in demand on the City's recreational facilities; however this small increase in demand can be accommodated and does not result in significant increased recreational demand.

§30230 - §30236 (Marine Environment)

The project does not have the potential to impact or harm marine resources in the Coastal Zone. The project does not include removal of native riparian or oak woodland habitats in the coastal zone. Additionally, non-native eucalyptus trees proposed for removal are not known to be significant aggregate sites for monarch butterflies or significant nesting locations for endangered or threatened raptor species.

The project will comply with the City's Storm Water Management Program and will implement Best Management Practices during construction to help treat runoff from the site before it enters the storm drain system.

§30240 - §30244 (Land Resources)

These policies are not applicable because the site does not contain any environmentally sensitive habitat areas, is not agricultural land nor is it suitable for agricultural use, and does not contain archaeological or paleontological resources.

§30250 - §30255 (Development)

Policy 30250 - (a) New residential, commercial, or industrial development, except as otherwise provided in this division, shall be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it or, where such areas are not able to accommodate it, in other areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources. In addition, land divisions, other than leases for agricultural uses, outside existing developed areas shall be permitted only where 50 percent of the usable parcels in the area have been developed and the created parcels would be no smaller than the average size of surrounding parcels. (b) Where feasible, new hazardous industrial development shall be located away from existing developed areas. (c) Visitor-serving facilities that cannot feasibly be located in existing developed areas shall be located in existing isolated developments or at selected points of attraction for visitors.

The project site is located within an existing developed area, and adequate public services are available to serve it. In particular, the portion of the project site proposed for residential development is located immediately south of an existing condominium development and southwest of a dense single-family neighborhood. Surrounding the site to the south and east is an elementary school. The project will not have significant adverse effects, either individually or cumulatively, on coastal resources. A land swap between the school and the owner of 210 Meigs Road is part of the project and means that the proposed development on the site can be located adjacent to existing residential development to protect open space areas on the site. Therefore the project is consistent with Policy 30250 (a). Sections (b) and (c) of this policy are not applicable to the project.

Policy 30251 - The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural landforms, to be visually compatible with the character of the surrounding area, and, where feasible, to restore and enhance visual quality in visually degraded areas...

The proposed residential development of the project site will not block views of the ocean or the mountains from public viewing locations, as the site is situated north and east of the public viewing areas in this vicinity (namely La Mesa Park and Meigs Road/Shoreline Drive). The project will not affect any coastal views as the site is not visible from the beach. The project would not result in a significant, unavoidable visual impact to the area. The proposed development would be mostly screened by existing and proposed vegetation, or would not be visible from public viewing locations. When viewed in the larger context of the Mesa neighborhood, the project will blend in with the surrounding residential development to the north and northeast of the project site, as well as with the school development to the south and southeast. The project site is relatively flat and the project will not significantly modify the site's natural topography. Therefore the project is considered to be consistent with Policy 30251.

Policy 30252 - The location and amount of new development should maintain and enhance public access to the coast by (1) facilitating the provision or extension of transit service, (2) providing commercial facilities within or adjoining residential development or in other areas that will minimize the use of coastal access roads, (3) providing nonautomobile circulation within the development, (4) providing adequate parking facilities or providing substitute means of serving the development with public transportation, (5) assuring the potential for public transit for high intensity uses such as high-rise office buildings, and by (6) assuring that the recreational needs of new residents will not overload nearby coastal recreation areas by correlating the amount of development with local park acquisition and development plans with the provision of onsite recreational facilities to serve the new development.

The proposed new development does not impact public access to the coast. Further, the project is located close to (within ¼- to ½ -mile) existing commercial facilities, and the project includes improvements to the pedestrian crosswalk located at the Elise Way/Meigs Road intersection. This crosswalk provides access from existing residential units to the coast, as well as commercial, school and recreational facilities located along Meigs Road, without requiring pedestrians to walk to the Meigs Road/Cliff Drive intersection. Additionally, the proposed development, due to its small size (five lots) will not result in significant increased recreational demand.

Policy 30253 - New development shall: (1) Minimize risks to life and property in areas of high geologic, flood, and fire hazard. (2) Assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs. (3) Be consistent with requirements imposed by an air pollution control district or the State Air Resources Control Board as to each particular development. (4) Minimize energy consumption and vehicle miles traveled. (5) Where appropriate, protect special communities and neighborhoods which, because of their unique characteristics, are popular visitor destination points for recreational uses.

The project site is not located in an area of high geologic, flood or fire hazard. The project would neither create nor contribute to erosion, geologic instability or destruction of the site and does not require construction of protective devices that would alter natural landforms. The project, as conditioned, would be consistent with requirements of the Santa Barbara Air Pollution Control District. The project would be designed compliant with the City's Energy Ordinance and would meet or exceed California's Title-24 requirements. The main project entrance would be located in proximity to a bus stop, and the site is located close to existing recreational and commercial opportunities, and the project proposes improvements to the existing crosswalk at Meigs Road/Elise Way, which would allow for increased non-automobile circulation and would encourage reduced vehicle trips in order to access the beach and La Mesa Park from the east side of Meigs Road and to access the school and commercial facilities from the west side of Meigs Road.

No new or expanded public works facilities are proposed as part of the project (Policy 30254 and 30254.5).

§30260 - §30264 (Industrial Development)

The proposed land use and zoning map amendments do not change where industrial development may occur as the parcel would be designated for residential development and open space.

City of Santa Barbara Local Coastal Plan Consistency Analysis

Policy 3.3. *New development proposals within the coastal zone which could generate new recreational users (residents or visitors) shall provide adequate off-street parking to serve the present and future needs of the development.*

The project requires (via the proposed E-3/S-D-3 zoning for the project site) two off-street covered parking stalls per single-family residence, which would accommodate the parking demands of the development.

Policy 3.4. *New development proposals in the coastal zone which may result in significant increased recreational demand and associated circulation impacts shall provide mitigation measures as a condition of development including, if appropriate, provision of bikeways and bike facilities, pedestrian walkways, people mover systems, in lieu fees for more comprehensive circulation projects or other appropriate means of compensation.*

As identified in the Mitigated Negative Declaration (MND), the proposed development would not result in significant increased recreational demand. The project includes public improvements (new sidewalk and parkway) on the new public street and along the subdivision's Meigs Road frontage. In order to address potential safety issues for pedestrians and bicyclists, the MND requires mitigation in the form of improvements to the existing crosswalk at Elise Way and Meigs Road.

Policy 5.3. *New residential development in and/or adjacent to existing residential neighborhoods must be compatible in terms of scale, size, and design with the prevailing character of the established neighborhood. New development which would result in an overburdening of public circulation and/or street parking resources of existing residential neighborhoods shall not be permitted.*

The proposed development would be located south of existing residential development. Surrounding zoning allows for residential development (two-family immediately north of the site and single-family to the northeast, east and south of the site. To the west is Park and Recreation zoning. Washington Elementary School immediately surrounds the site to the east and south. Immediately north of the site there is an existing 22 unit condominium complex. To the northeast are single-family residences. To the west, across Meigs Road, there is an affordable multi-family development, La Mesa Park and the U.S. Coast Guard facility. The project has received positive comments from the Single Family Design Board for the subdivision design. Neighborhood compatibility is discussed in detail in the Initial Study prepared for the project, and mitigation measures have been identified to address potential land use and compatibility issues between the existing school and future residents of the proposed subdivision. Future construction of the individual homes would be required to receive approval from the Single Family

Design Board to ensure compatibility with surrounding development and uses. The proposed development would be limited to heights of 30 feet, which is the maximum allowed height for all surrounding development. The condominium development immediately north of the site is two-stories, and nearby single-family homes range from one- to two-stories. The development would be required to comply with the City's Neighborhood Preservation Ordinance (which limits maximum net floor area based on lot size). Additionally, the project requires (via the zoning for the project site) two off-street parking stalls per single-family residence, which would accommodate the parking demands of the development.

Policy 9.1. *The existing views to, from, and along the ocean and scenic coastal areas shall be protected, preserved, and enhanced. This may be accomplished by one or more of the following: (1) Acquisition of land for parks and open space; (2) Requiring view easements or corridors in new development; (3) Specific development restrictions such as additional height limits, building orientation, and setback requirements for new development; or (4) Developing a system to evaluate view impairment of new development in the review process.*

The project would not result in a significant, unavoidable visual impact to this scenic coastal area. Scenic views in the area are directed south and southwest, toward the ocean. The project site is located immediately adjacent to a two-story, 22-unit condominium development. Additionally, public views toward the site from the south and southwest are currently obscured by the existing vegetation along the 210 Meigs property frontage. Building height would be limited to thirty feet and the height limitation imposed for the protection and enhancement of solar access by Chapter 28.11 of the City's Zoning Ordinance. In addition, the proposed site layout would be compatible with the surrounding area, which is an urban area. Development of individual homes on the proposed new lots would be subject to review by the Single Family Design Board to ensure neighborhood compatibility and to enforce the recommendations identified in the Mitigated Negative Declaration related to noise. Finally, the proposed project would not affect any coastal views. Therefore the project is considered consistent with this policy.

Policy 9.3. *All new development in the coastal zone shall provide underground utilities and the undergrounding of existing overhead utilities shall be considered high priority.*

The project will be required to provide underground utilities and is therefore consistent with this policy.